

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

UNITED STATES, for the use of ECCO
EQUIPMENT CORPORATION,

Plaintiff,

v.

CENTRAL VALLEY CONSTRUCTION, INC.,
et al.,

Defendants.

CENTRAL VALLEY CONSTRUCTION, INC.,

Cross-Claimant,

v.

TPA-CKY JOINT VENTURE,

Counterdefendant.

TPA-CKY JOINT VENTURE,

Counterclaimant,

v.

CENTRAL VALLEY CONSTRUCTION, INC.,
et al.,

Counterdefendants.

No. C 07-01568 SI

**ORDER RE: MOTION TO COMPEL
DISCOVERY**

Defendant, cross-defendant, and counterclaimant TPA-CKY Joint Venture has filed four motions to compel discovery responses from Central Valley Construction and from Tony Arnaiz. The motions are scheduled for oral argument on July 18, 2008. Pursuant to Civil Local Rule 7-1(b), the Court finds this matter appropriate for resolution without oral argument, and hereby VACATES the hearing on all

1 four motions.

2 It appears Tony Arnaiz has responded to the discovery requests furnished by TPA-CKY. It also
3 appears that TPA-CKY and Central Valley Construction have not met and conferred regarding the
4 outstanding discovery requests that may still be in dispute. **The parties are ordered to meet and**
5 **confer regarding these requests.** In the event the parties cannot reach an agreement, TPA-CKY may
6 re-file its motions in the form of a letter brief, pursuant to the Court's standing order. Central Valley
7 Construction and, if necessary, Tony Arnaiz, should then respond.

8 Accordingly, the motions to compel are DENIED without prejudice to reconsideration once the
9 parties have met and conferred and resubmitted briefs addressing any remaining disputes [Docket Nos.
10 74, 75, 76 & 77].

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12 **IT IS SO ORDERED.**

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14 Dated: July 11, 2008



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SUSAN ILLSTON
United States District Judge